

### **REMARKS**

Claims 1-8 are pending in the application with Claims 1, 4 and 7 being independent claims.

Claim 4 was objected to because the word “to” is missing after the word “according.” Claims 1-3, and 7 were rejected under 35 U.S.C. § 102(b) as being anticipated by Bick (U.K. Appln. No. GB2,367,530). Claim 4 was rejected under 35 U.S.C. § 102(b) as being anticipated by Claxton (U.S. Pat. No. 6,448,919). Claims 5-6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bick in view of Honda (U.S. Appln. No. 2003/0185444). Claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bick in view of Claxton.

Regarding the objection of Claim 4, Claim 4 was amended to overcome the objection.

Regarding the rejection of Claims 1 and 7 under 35 U.S.C. § 102(b) as being anticipated by Bick, the Examiner stated that Bick discloses all of the limitations of Claims 1 and 7. Bick teaches a user interface device (UID) that integrally combines a conventional keypad and a touch sensitive pointing device.

In Bick, the UID, i.e. keypad 7, may operate *simultaneously* as a conventional keypad and a touch sensitive pointing device (see pg. 4, lines 18-19). For example, referring to Figures 4 and 5, a user can forcefully depress key 8 for use in a conventional keypad function and *simultaneously* lightly touch the keymat 17 for use in a touch sensitive pointing function of the UID (see pg. 4, lines 21-32). The simultaneous dual functions of the UID per Bick raises a problem regarding user dexterity. If a user wants to actuate the touch sensitive pointing function but inadvertently forcefully depresses a key, controller 15 may receive an input signal inconsistent with the user's intent. The same problem occurs when the user only lightly touches the keypad while intending to actuate the conventional keypad function.

In contrast, each of amended Claims 1 and 7 of the present application solves the above

problem by reciting a keypad assembly with which a user can selectively and exclusively actuate either a touch screen function or a key button function. Bick fails to disclose or suggest the exclusivity of the dual functions.

In the Office Action, the Examiner stated on page 4, lines 3-5 “Bick discloses a device and thereby a method for using a switch to actuate a first type of user input and second type of user input (see pg. 1, lines 21-25).” Applicants respectfully traverse this incorrect construction by the Examiner of the term “switch” per Bick. For aiding comprehension, it would be helpful a verbatim excerpt from Bick at page 1, lines 21-25 is set forth below.

“According to the present invention, there is provided a user interface device for electronic apparatus, the device comprising a keypad having a plurality of keys each arranged to actuate a respective switch so as to provide a first type of user input and integrally disposed impedance sensing means so as to provide a second type of user input.”

The term “switch” as used in Bick indicates a metal dome electrical contact in traditional keypad of mobile telephone handset such as switches 32 (see Bick, pg. 4 line 8 and Figure 4). Switches 32 provide “a first type of user input.” They do not actuate “second type of user input” as the Examiner alleges.

Clearly, amended Claims 1 and 7 are patentably distinct from Bick.

Therefore, withdrawal of the rejection of Claims 1 and 7 is respectfully requested.

Regarding the rejection of Claim 4 under 35 U.S.C. § 102(b) as being anticipated by Claxton, the Examiner stated that Claxton discloses all of the limitations of Claim 4. Claxton discloses a phone that provides dual functions of a traditional phone keypad and a touch panel. However, amended Claim 4 differs from Claxton in at least two distinguishable elements.

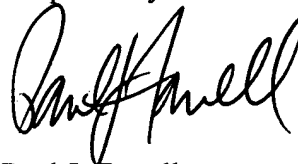
First, Claxton teaches two physically separate and detachable items to provide the dual functions: flip cover 112 for the phone keypad function and touch panel 310 for the touch panel

function (see 3:18-19, 4:10-12, and FIGs. 1-4). In contrast, amended Claim 4 recites a keypad and a touch screen panel physically integrated. Therefore, the present invention as recited in amended Claim 4 structurally differs from Claxton.

Second, Claxton discloses a +3.3 VOLTS power supply as shown in FIGs. 3 and 4 (not in Figure 1 as the Examiner cited) which supplies power voltage continuously and simultaneously to both flip cover 112 and touch panel 310 when flip cover 112 is attached to body 102. In contrast, due to the exclusivity of the keypad and touch screen as recited in amended Claim 4, at any moment driving power is supplied to one of the keypad and the touch screen panel and concurrently cuts off driving power to the other of the keypad or the touch screen panel. Therefore, the present invention as recited in amended Claim 4 further structurally differs from Claxton.

Accordingly, all of the claims pending in the Application, namely, Claims 1-8, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



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